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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/840,819

04/24/2001

Hendrik J. Bergveld

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

NGUYEN, SIMON

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

06/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | | |
|------------------------------|------------------------|--|---------------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 09/840,819 | | BERGVELD ET AL. | |
| | Examiner | | Art Unit | |
| | SIMON D. NGUYEN | | 2618 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 16, 18, 20, 22, 26-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Hirschfield et al. (5,826,170).

Regarding claims 16, and 20, Hirschfield discloses a communication device (abstract, figs. 1,2, 4), comprising: an amplifier (14) which outputs a signal having a frequency to antenna 16 (fig.2); and a DC/DC converter (22) adapted to provide a voltage (V_o variable) to the amplifier to vary a power of the RF signal, wherein the DC/DC converter having a control input (20a of fig.2, or data command 20a of fig.4) adapted to receive the control input value (e.g. "controller 20 computes a value to be sent over digital signal lines 20a to command the DCD/DC 22 to produce a specified supply voltage V_o to the amplifier 14", see column 6 lines 21-25, 34-38, 42-43), wherein the control input value applied to the DC/DC converter is exclusively controlled in dependence of the frequency to vary the voltage provided to the amplifier (column 4 lines 64 to column 5 line 15, column 6 lines 20-25, 34-55, column 7 lines 35-39).

Regarding claims 18, and 22, Hirschfield further discloses a comparator for comparing a level of the signal with a desired signal level (column 6 lines 56 to column 7 lines 2, 35-39).

Regarding claims 26, 28, Hirschfield further discloses a capacitor (C) between a voltage supply and the amplifier (see capacitor c of fig.5-6).

Regarding claims 27, 29, Hirschfield further discloses a regulator (32, 30, 42, 36) (generating **regulated variable output voltage Vo** (fig.4)) for receiving an output of the comparator (40) and to fine tune the voltage from the DC/DC converter to the amplifier (fig.4, column 6 line 48 to column 7 line 39).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 12-15, 17, 19, 21, 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirschfield et al. (5,826,170) in view of Kawano et al. (5,774,797).

Regarding claim 12, this claim is rejected for the same reason as set forth in claim 16, wherein Hirschfield further discloses the communication happening between a transponder in a satellite and a mobile device or a gateway or a land-based base station (fig.1). It should be noted that transponder 1b in this case acting as a mobile device and

the gateway 9b acting as a base station (fig.1) which is understood for those skilled in the art. However, Hirschfield does not specifically disclose so.

Kawano discloses a mobile terminal communicates with a base station, wherein the mobile terminal comprising a transmitter, wherein the transmitter comprises a DC/DC converter for receiving a control signal to vary a voltage to supply to a power amplifier (figs.3, 7, column 8 lines 1-4, column 9 lines 1-20). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Hirschfield, modified by Kawano in order to control a transmission power in a mobile terminal.

Regarding claims 13, 17, and 21, in the modified Hirschfield, Kawano further discloses a memory for storing a power control data (#3 fig.1, column 5 lines 58-61).

Regarding claim 14, Hirschfield further discloses a comparator for comparing a level of the signal with a desired signal level (column 6 lines 56 to column 7 lines 2, 35-39).

Regarding claims 15, 19, and 23, in the modified Hirschfield, Kawano further discloses the desired signal level provided by a base station (column 8 lines 1-2).

Regarding claim 24, Hirschfield further discloses a capacitor (C) between a voltage supply and the amplifier (see capacitor c of fig.5-6).

Regarding claim 25, Hirschfield further discloses a regulator (32, 30, 42) (generating **regulated variable output voltage Vo** (fig.4)) for receiving an output of the comparator (40) and to fine tune the voltage from the DC/DC converter to the amplifier (fig.4, column 6 line 48 to column 7 line 39).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (571) 272-7894. The examiner can normally be reached on Monday-Friday from 7:00 AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban, can be reached on (571) 272-7899.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

600 Dulany, Alexandria, VA 22314

Or faxed to:

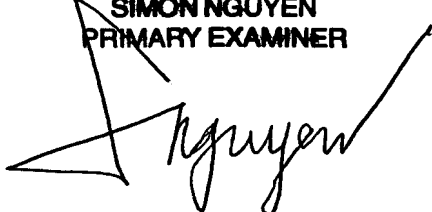
(571) 273-8300 (for formal communications intended for entry)

Hand-delivered response should be brought to Customer Service Window located at the Randolph Building, 401 Dulany, Alexandria, VA, 22314.

Simon Nguyen

June 7, 2007

**SIMON NGUYEN
PRIMARY EXAMINER**

A handwritten signature in black ink, appearing to read 'nguyen', is written over a rectangular stamp that contains the text 'SIMON NGUYEN' and 'PRIMARY EXAMINER'.